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**SLANDER — WORDS ACTIONABLE PER SE.** — A Catholic priest told his congregation that the plaintiff, a physician, had been excommunicated; that therefore they should not employ him; and if they did they could not have the ministrations of the priest while he was under their roof. *Held*, that the words were actionable *per se*, as they affected the plaintiff in his capacity as a physician. *Morasse v. Brochu*, 25 N. E. Rep. 74 (Mass.).

**STATUTE OF LIMITATIONS — OFFSETTING DEBTS AGAINST LEGACIES.** — The debts due testator by legatees cannot be set off against legacies, if the period of limitation has run before time of distribution.

The allowance of a dividend on the debts, by the debtors' assignee, for benefit of creditors, does not arrest the statute after it has begun to run, for the assignee is not the agent of the debtor. *In re Light's Estate*, 20 Atl. Rep. 536 (Pa.).

**TRUSTS — CHARITABLE BEQUEST — CERTAINTY.** — A bequest as follows: "And the rest, if there be any, [I give] to such charitable purposes as my said trustee may deem best," — is sufficiently definite, and will be carried into effect. *Powell v. Hatch*, 14 S. W. Rep. 49 (Mo.).

**TRUSTS — STATUTE OF LIMITATIONS.** — Where one having stock standing in his name sells it to another, and gives a receipt for the money, reciting that it is the first instalment on a certain number of shares of the stock, "standing in my name, but owned by him, and he remaining responsible for the balance of the instalments when called in," but containing no agreement as to the future disposition of the stock or the dividends therefrom, the transaction raises an implied trust against which the Statute of Limitations will run. *Cone et al. v. Dunham*, 20 Atl. Rep. 311 (Conn.).

**WILLS — CONSTRUCTION.** — Where a will creates a valid trust and names a trustee, the trustee takes the legal title to the trust estate although there are no word of gifts to him. *Toronto Co. v. R. Co.*, 25 N. E. Rep. 198 (N. Y.).

**WILLS — CONSTRUCTION.** — In the draft of the will the word "including" on page 1 was changed at the testator's direction to "excluding." In the copy which the testator executed the word "including" on page 1 was left standing, and "including" on page 12 changed to "excluding." *Held*, that "excluding" on page 12 could be altered back, but that no alteration could be made on page 1. *Goods of Huddleston*, 63 L. T. Rep. N. S. 255 (Eng.).

This decision, it would seem, can only be supported on the theory of dependent relative revocation. This case seems an extreme application even of that doctrine. It was, however, an uncontested case.

**WILLS — CONSTRUCTION.** — A testator gave an annuity to A., and from and immediately after her death to such child or children of hers as should attain twenty-one. But if A. died "without leaving any such child," he gave the annuity to others. A. died without leaving any children, but had had a child who attained twenty-one in her lifetime. *Held*, that the representatives of the deceased child take nothing. Where there has been a vested interest in a capital sum, the court has construed "leaving" as if written "having had," to avoid taking away that vested interest. But an annuity is a personal provision, and this doctrine has never been applied to it. *In re Hemingway*, 63 L. T. Rep. N. S. 218 (Eng.).

**WILLS — CONSTRUCTION — REMAINDERS.** — Testator devised his residuary estate to trustees "during the life of my son D.," in trust for said D., and "after the death of said D. I give and bequeath all the property affected by the above trust to my own right heirs." *Held*, that an estate in remainder vested on testator's death in D., his only heir, so that on D.'s death the estate went to his heirs, and not to those who were then the testator's heirs. *In re Kenyon et al.*, 20 Atl. Rep. 294 (R. I.).

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## REVIEWS.

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**THE VETO POWER : ITS ORIGIN, DEVELOPMENT, AND FUNCTION IN THE GOVERNMENT OF THE UNITED STATES.** By Edward Campbell Mason. Edited by Professor Albert Bushnell Hart. Boston, 1890 : Ginn & Co. 8vo. Pages 230.

The present monograph is the first of the series entitled "Harvard Historical Monographs," and is an exposition and discussion of the veto power as it is found in the Constitution of the United States.

The first chapter is an attempt to prove historically that the veto power, as its nature would indicate, and as various constitutional writers have intimated, is a part of the legislative power of the government. The idea is carefully worked out, and makes one of the most interesting chapters in the monograph.

The body of the work is taken up with a discussion of the presidential vetoes. These have been classified according to the subject-matter of the bills vetoed. For example, we find all the tariff vetoes grouped together under the general head of "financial vetoes." By this arrangement the discussion will be of use not only from the point of view of the veto power, but will also be of assistance in any study of the various subjects touched upon.

Perhaps the most striking fact in the book is the number and character of President Cleveland's vetoes. They are more than twice as numerous as those of all his predecessors together, and they were in most cases imposed on pension bills. The expediency and constitutionality of these pension vetoes has been dwelt on at some length, and in the opinion of the author they were justified from both points of view.

Chapters V. and VI. are more likely to be generally read than any others in the work, for they give the author's conclusions on various political and constitutional questions raised by the use of the veto power.

The plan evidently has been to make any fact in the book and all related facts easily accessible; for the table of contents and index are full and conveniently arranged, while foot-notes, cross-references, and appendices are numerous and as complete as possible. Some of the appendices, as, for example, the list of vetoes and the legislative activity of the Presidents, are of great value.

The work as a whole impresses one as being well conceived and skilfully executed. It is clear, and for the most part concise, although some points have been dwelt on with rather more fulness than seems necessary. It is, in short, a book which workers in history will appreciate gratefully.

G. C.

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THE SUPREME COURT OF THE UNITED STATES. By Westel. W. Willoughby. Johns Hopkins University Studies. The Johns Hopkins Press, Baltimore, 1890. 8vo. Pages 124.

The work gives a short, concise statement of the origin and conception, the establishment and the history, of the Supreme Court of the United States. The functions and powers of the court are well brought out by discussion of the leading cases decided by it. The relations of the court to Congress, to the Executive, and to the State legislatures and judiciaries are treated of in separate chapters. The part the court has played in politics and its present pressing needs are pointed out. The work is a useful one for the general reader, and contains many useful hints for the student.

L. H.